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8 Attorney for Plaintiff
9 HERMINIA LORENZO CRUZ
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17 **UNITED STATES DISTRICT COURT**
18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
19 **SAN JOSE DIVISION**

20 HERMINIA LORENZO CRUZ,

21 v. Plaintiff,

22 INTERNATIONAL COLLECTION
23 CORPORATION, a California corporation, and
24 CHARLES D. HENDRICKSON, individually
25 and in his official capacity,

26 Defendants.

27 Case No. C08-00991-JF-RS
28 AMENDED ORDER APPROVING
29 STIPULATION AND JOINT
30 REQUEST TO CONTINUE ALL
31 SCHEDULED DATES FOR 120
32 DAYS

33 On June 3, 2008, the parties filed a Joint Case Management Statement and Federal Rule of Civil
34 Procedure 26(f) Discovery Plan (Doc. 16) wherein the parties proposed a case management schedule in
35 this case. On June 19, 2008, the Court vacated the Case Management Conference and adopted the
36 parties proposed case management schedule. (Doc. 20). On January 5, 2009, the Court continued all
37 deadlines in this case for 90 days due to the parties ongoing discovery efforts and the Plaintiff's poor
38 health. (Doc. 42).

39 Thus far the parties in this case have conducted written discovery, exchanged various
40 documents and the Plaintiff's deposition has been taken by Defendants. Plaintiff has deposed
41 Defendant, Charles D. Hendrickson, and a third-party, Franklin Jay Love. Plaintiff has also notice the

1 depositions of Luigi S. Rossi and International Collection Corporations' Rule 30(b)(6) witness. Said
2 depositions were to be held in Los Angeles on December 10 and 12, 2009, but Luigi S. Rossi was very
3 ill and unable to attend his deposition. Additionally, Defendants have informed Plaintiff that Luigi S.
4 Rossi has moves out of the state and will require a Subpoena for his deposition. Plaintiff was able to
5 complete the Rule 30(b)(6) deposition in this case on February 24, 2009.
6

7 With regard to Mediation, Plaintiff had taken a fall, was hospitalized and was unable to
8 participate in a Mediation in this case before the presumptive deadline. On September 3, 2008, the
9 parties requested a 90 day extension of the ADR deadline (Doc. 28) which the Court granted on
10 September 10, 2008. (Doc. 30). Thereafter, the parties engaged in written discovery and the Plaintiffs
11 deposition was taken. However, before the parties could schedule a Mediation, Plaintiff became ill and
12 has sought medical treatment in the Philippines. Plaintiff's counsel has been informed by Plaintiff's
13 daughter that Plaintiff has contracted pneumonia and is still convalescing in the Philippines under the
14 care of her relatives. Plaintiff may be absent from the country for up to an additional 120 days, if she
15 returns at all. Therefore, the parties have not been able to schedule and attend a Mediation in this case
16 to date.
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18 Due to the Plaintiff's poor health, inability to travel and absence from the country, calendering
19 conflicts of counsel for the parties, witnesses and scheduling the travel that will be required to complete
20 the depositions and conduct a Mediation in this case, the parties jointly seek a 120 day continuance of
21 all dates currently set in this matter.
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1 Dated: April 27, 2009

/s/ Fred W. Schwinn
 Fred W. Schwinn, Esq.
 Attorney for Plaintiff
 HERMINIA LORENZO CRUZ

4 Dated: April 27, 2009

/s/ Larry Rothman
 Larry Rothman, Esq.
 Attorney for Defendants
 INTERNATIONAL COLLECTION
 CORPORATION, and CHARLES D.
 HENDRICKSON

8 **†PROPOSED† ORDER**

10 Having considered the parties Stipulation and Joint Request to Continue all Scheduled Dates for
 11 120 Days, the request is GRANTED. The case management dates in this case are continued to the
 12 following dates:

	Current Date	Continued Date
ADR Deadline	April 30, 2009	August 28, 2009
Close of Fact Discovery	April 30, 2009	August 28, 2009
Fed. R. Civ. P. 26(a)(3) Disclosures	May 15, 2009	September 15, 2009
Last Day to File Dispositive Motions	June 13, 2009	October 13, 2009
Opposition to Dispositive Motions	June 27, 2009	
Replies to Dispositive Motions	July 6, 2009	
Hearing on Dispositive Motions	July 10, 2009	November 13, 2009
Final Pre-Trial Conference	July 17, 2009	December 4, 2009
Jury Trial	August 7, 2009	December 11, 2009

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 23 IT IS SO ORDERED.

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 25 Dated: 5/20/09


 26 Honorable Jeremy Fogel
 27 United States District Judge